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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,496	12/21/2000	Lauren T. May	NCL-001	1374
26291	7590	06/14/2005	EXAMINER	
MOSER, PATTERSON & SHERIDAN L.L.P. 595 SHREWSBURY AVE, STE 100 FIRST FLOOR SHREWSBURY, NJ 07702			PHAN, MAN U	
			ART UNIT	PAPER NUMBER
			2665	

DATE MAILED: 06/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/745,496

Applicant(s)

MAY, LAUREN T.

Examiner

Man Phan

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Response to Amendment and Argument

1. This communication is in response to applicant's 01/18/2005 Amendment in the application of May for a "Proxy methods for IP address assignment and universal access mechanism" filed 12/21/2000. Claims 1-13 are pending in the present application.
2. The amended paragraphs in specification correct the reference characters shown in Figs. 3 & 6. Therefore, examiner has withdrawn the Objections of record to the drawing.
3. Applicant's remarks and argument to the rejected claims are insufficient to distinguish the claimed invention from the cited prior arts or overcome the rejection of said claims under 35 U.S.C. 103 as discussed below. Applicant's argument with respect to the pending claims have been fully considered, but they are not persuasive for at least the following reasons.
4. In response to Applicant's argument that the references fail to show certain features of Applicant's invention (page 6). It is noted that the features upon which applicant relies i.e., by conversion of encapsulated packets in PPP format into DHCP format (See Applicant's Specification, page 11, Lines 20-33). However, It is the claims that define the claimed invention, and it is claims, not specifications that are anticipated or unpatentable. *Constant v. Advanced Micro-Devices Inc.*, 7 USPQ2d 1064. Although the claims are interpreted in light of the specification. Limitations from the specification are not read into the claims. In re Van Guens, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant's argument with respect to the rejected claims 1-4, 7-11 and 13 that the cited references fails to disclose "*translating a request from a format compatible with a WAN into a LAN compatible request*". However, Veerina et al. (US#6,243,379) discloses in Fig. 1 a block diagram illustrated the connection and packet level multiplexing between WAN-LAN interconnection, in which during inbound WAN-LAN packet processing, destination IP address and port number of incoming packet are replaced with internal IP address and port number, and during outbound LAN-WAN packet processing, source IP address and port number of outgoing packet are replaced with valid IP address and port number (*the process of translating a request from a format compatible between WAN-LAN utilizing translation table*)(Col. 2, lines 3 plus). The Applicant's attention is directed to the PPP-bridge operating mode of Fig. 1. Indeed, upon receiving a request from a PPP session from a user terminal (30A, 30B) at the LAN interface (14, 24), the access device such as DSL modem configured to support DHCP server function, establishes a corresponding PPP session with the remote server such as ISPs 32A, 32B, via its WAN interface 26A,B,C. Once the PPP connection is made and the session is established, the access device (DSL modem) receives a public IP address of the PPP session from the remote server ISPs 32A, 32B. This public IP address is relayed via DHCP through the LAN interface to the user devices 30A, 30B (See also Fig. 1 of Namma et al. – US#6,185,616 for the same procedure in connection establishment type network). Therefore, examiner maintains that the references cited and applied in the last office actions for the rejection of the claims are maintained in this office action.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-4, 7-11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Namma et al. (US#6,185,616) in view of Veerina et al. (US#6,243,379).

With respect to claims 7-10, both Namma et al. (US#6,185,616) and Veerina et al. (US#6,243,379) disclose a novel method and system for providing an IP address to a computer configured for operation on a WAN using LAN address assignment format, according to the essential features of the claims. Namma discloses in Fig. 1 a block diagram illustrated the system architecture of the proxy server apparatus 2 coupled to a network and a TEL network comprises: a request receiving portion 21 for receiving a request from the client terminal 1 through the network 5 for requesting a communication with the server apparatus 4, a connection condition control portion 22 for controlling connection to and disconnection from the server apparatus, a public telephone network connection portion 23 for assigning an IP address and providing PPP connection to the server apparatus 4 through the public telephone network 3, a data communication portion 24 for effecting a data communication with the connected server

Art Unit: 2665

apparatus 4, a request response portion 25 for returning a reply in response to the communication request from the client terminal 1, a connection condition control table 200 for controlling IP addresses dynamically assigned in accordance with a name of a server apparatus and a telephone number corresponding to the name of the server apparatus (See the Abstract and Col. 4, lines 45 plus).

However, Namma does not disclose expressly the translating request from the format compatible with a WAN into a LAN compatible request. In the same field of endeavor, Veerina et al. (US#6,243,379) teaches a network address translator router device between a wide area network and a local area network, in which a connection circuit for coupling the local area network and the wide area network comprising an outbound handler, an incoming handler, an IP translation table, an IP router, a plurality of wide area network interfaces connecting to a plurality of corresponding modems to form a plurality of links, wherein the outbound handler checking the IP translation table to select a link for an outbound packet by modifying destination IP address and destination port number of the outbound packet wherein the incoming handler checking the IP translation table for an incoming packet and either dropping the incoming packet if the incoming packet is not found in the IP translation table or modifying destination IP address and destination port number of the incoming packet if the incoming packet is found in the IP translation table (Col. 1, lines 66 plus and Col. 4, lines 14 plus). It is noted that the architecture for performing communications between a remote computer system and a host server over a "connection establishment" type network (i.e., dial-up) is well known in the art, in which the remote computer system is configured with a Point-to-Point Protocol (PPP) stack. Similarly, an Address Resolution Protocol (ARP) service module and a Dynamic Host Configuration Protocol

(DHCP) server are configured on the remote computer system. The PPP stack provides dial-up networking capabilities, while the DHCP server and the ARP service module provide "always connected" type network (i.e., LAN) messaging functionality. The PPP stack, the ARP service module, and the DHCP server are configured as a driver that is installed on the remote computer system. As such, the driver will enable a connection over the "connection establishment" type network that will appear to be an "always connected" type connection to the remote computer system.

Regarding claims 1-4, 11 and 13, they are method claims corresponding to the apparatus claims 7-10 above. Therefore, claims 1-4, 11, 13 are analyzed and rejected as previously discussed with respect to claims 7-10.

One skilled in the art would have recognized the need for effectively and efficiently providing an IP address to a locally attached computer configured to use a WAN mechanism for IP address acquisition, and would have applied Veerin's teaching of the network address translation router device into Namma's novel use of the proxy server apparatus in a WAN-LAN interconnection. Therefore, It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to apply Veerina's connection and packet level multiplexing between network links into Namma's proxy server apparatus, a proxy server system, and a server apparatus with the motivation being to provide a method and system for the computer establishes a PPP session in a WAN configuration to a high speed access modem.

7. Claims 5-6 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Namma et al. (US#6,185,616) in view of Veerina et al. (US#6,243,379) as applied to the claims above, and further in view of Radia et al. (US#5,848,233).

With respect to claims 5-6 and 12, these claims differ from the claims above in that the claims require the subscriber side network terminal periodically renews an IP address lease for the IP address. In the same field of endeavor, Radia et al. (US#5,848,233) discloses in Figs. 8a-d block diagrams showing filtering profiles associated with a DHCP lease renewal. More specifically, in systems that use the DHCP protocol for allocation of IP addresses, each IP address is allocated for a finite period of time. Systems that do not renew their IP address leases may lose their allocated IP addresses. Therefore, the first login filtering profile 400 allows passage of IP packets from the newly connected client system 102 to the DHCP server 110 for the purpose of DHCP lease renewal. More specifically, and as shown in FIG. 8a, the single filtering rule 404 for DHCP lease renewal includes an action 500 that indicates that IP packets that match the filtering rule 404 should be forwarded. Filtering rule 404 also includes a destination address 502 that corresponds to the IP address of the DHCP server 110 and a destination address mask 504 of 255.255.255.255. As a result, only IP packets directed at DHCP server 110 match filtering rule 404. A protocol type of UDP is specified by protocol type 506 of filtering rule 404. Finally, beginning port number 508 and ending port number 510 are both set to "67" corresponding to the standard port used for DHCP messages (Col. 7, lines 50 plus).

One skilled in the art would have recognized the need for effectively and efficiently providing an IP address to a locally attached computer configured to use a WAN mechanism for IP address acquisition, and would have applied Radia's teaching of the DHCP server that

implements IP address renewal, and Veerin's teaching of the network address translation router device into Namma's novel use of the proxy server apparatus in a WAN-LAN interconnection. Therefore, It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to apply Radia's method and apparatus for dynamic packet filter assignment, and Veerina's connection and packet level multiplexing between network links into Namma's proxy server apparatus, a proxy server system, and a server apparatus with the motivation being to provide a method and system for the computer establishes a PPP session in a WAN configuration to a high speed access modem.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The Lupper et al. (US#2004/0017800) is cited to show the method for connection of data terminal devices to a data network.

The Donovan et al. (US#6,122,281) is cited to show the method and apparatus for transmitting LAN data over a synchronous WAN.

The Guy et al. (US#6,298,057) is cited to show the system and method for reliability transporting aural information across a network.

9. **THIS ACTION THIS ACTION IS MADE FINAL.** See MPEP ' 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Phan whose telephone number is (571) 272-3149. The examiner can normally be reached on Mon - Fri from 6:00 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu, can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

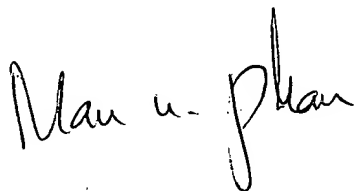
11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about

Art Unit: 2665

the PAIR system, see <http://pair-direct.uspto.gov>. Should you have any questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at toll free 1-866-217-9197.

Mphan

June 07, 2005

A handwritten signature in cursive script that reads "Man u. phan".

MAN U. PHAN
PRIMARY EXAMINER